



STATE OF DELAWARE  
**STATE FIRE PREVENTION COMMISSION**  
DELAWARE FIRE SERVICE CENTER

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DOVER, DELAWARE 19904

## **STATE FIRE PREVENTION COMMISSION**

Monthly Meeting

March 20, 2018

### **MEMBERS PRESENT**

Alan Robinson, Jr., Chairman  
Ron Marvel, Vice Chairman  
David J. Roberts  
Tom DiCristofaro  
Lynn Truitt - absent  
Marvin C. Sharp  
Ted Walius

### **ALSO PRESENT**

Patricia Davis, Deputy Attorney General  
Patrick Matthews M.D., BLS Medical Director  
Sherry Lambertson, Executive Specialist  
David J. Truax, Investigator/Compliance Officer  
Grover P. Ingle, State Fire Marshal  
Robert P. Newnam, Director, State Fire School

### **GUESTS**

Warren Jones, DVFA  
Jay Jones, DVFA  
Anthony Spiezio, DTI  
Terry Jester, SCVFA, President

**GUESTS CONT.**

Steven C. Deery, Jr., Indian River Fire Co., Fire Chief  
Richard T. Perillo, DVFA  
W. Mike McMichael, DSEMSA  
Willard (Bill) Betts, DVFA  
Heather Helmer, EMT  
Mikell Helmer, Hearing

**CALL TO ORDER**

Chairman Robinson called the meeting to order at 9:00 a.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF FEBRUARY 20, 2018 COMMISSION MEETING MINUTES**

It was moved by Commissioner Dicristofaro, and seconded by Commissioner Roberts that the minutes of the January 16, 2018 Commission meeting be approved. Motion carried by unanimous vote.

**REGULAR BUSINESS**

**REPORT OF THE STATE FIRE MARSHAL**

**INFORMATIONAL ITEMS**

**Personnel Items**

Fire Marshal Ingle reported on the passing of retired K-9 Sparks and asked for prayers for the family of Deputy Fire Marshal Schad. K-9 Sparks was 13 years old, was a good dog and performed well for the agency.

Fire Marshal Ingle has determined that the Juvenile Fire Setter Intervention Coordinator vacancy will remain vacant at this time. The vacancy will remain under review, but it is felt leaving it vacant at this time is the prudent decision.

Fire Marshal Ingle reported that Larry Feeheley who worked out of the Sussex County Division passed away and will be missed. He retired as a Lieutenant from the City of Baltimore Fire Department and was an asset to the Delaware State Fire Marshal's Office until he retired.

### Fire Fatalities

Fire Marshal Ingle reported that the second fire fatality of the year occurred on March 18, 2018. On March 18, 2018, the Indian River Fire Company was dispatched to a trailer fire at the unit block of Harbor Drive, Malone's Marina Mobile Home Park. On arrival there were fire conditions, with two victims that escaped the residence. One victim was located by the firefighters inside of the trailer. The victim was removed and life saving measures were performed on the victim before being transported to Beebe Hospital. The victim was pronounced deceased at the Hospital, and the other two victims were treated and released from Beebe. There were working smoke alarms in the residence.

### DTI Program Update

Fire Marshal Ingle reported that his agency continues to work with DTI on the program that is being developed for the agency. Program testing continues and is going well.

### Request for Plumber's to Install Residential Sprinkler's Update (DVFA Sprinkler Committee)

A request was made by the DVFA committee on Residential Sprinkler's to update the regulations allowing Plumber's to be able to install residential sprinklers.

The National Fire Sprinkler's Association will conduct a seminar on Sprinkler plan reviews on Friday, March 23 at the DSFS. Staff from the State Fire Marshal's Office, Wilmington, Dover and Newark Fire Marshal's Office will be in attendance.

### Meeting DEMA – Fire Drill's in School's

Fire Marshal Ingle met with the Director Schaal of DEMA and former Fire Chief Patrick regarding fire drills in schools. The meeting was a result of the recent school shootings and questions being asked by the Schools to the Comprehensive School Safety Program under DEMA. The Fire Marshal's position will remain as the code currently states. The schools will have to be evacuated. Fire Marshal Ingle does not have the authority to change that. Until there are changes on the National level, this is where we have to stand. Our regulations state that the building has to be evacuated. The model codes today including the NFPA have changed it from fire drills to emergency egress drills. Discussion is taking place about schools doing drills for other types of emergencies as well. Fire Marshal Ingle will keep the commission apprised of any changes moving forward.

### Elsmere Explosion

Fire Marshal Ingle reported on an incident that occurred at the 1300 block of Cypress Avenue in Elsmere for an explosion. Upon the Deputy Fire Marshal's arrival, Elsmere Police Department as well as the fire department were on scene. It was found that an explosive device caused the damage. Fragments of the explosion damaged a window of the home. It has been identified as a domestic case and the suspect was quickly identified. A search warrant was obtained for his property where he lived on Baltimore Avenue. Five devices were recovered and he was taken into custody early in the case by an arrest warrant and charged with three counts of manufacturing, possession and use of explosives. Additional felony charges have been added. The police, ATF will probably have additional charges as well and it may go to a federal level. The suspect remains in custody at the Howard Young Correctional Facility.

### Rehoboth Fire

March 13, 2018 at approximately 3:00 am, Rehoboth Fire Company responded to a structure fire at the unit block of Sand Dune Drive. Heavy fire was showing upon arrival with two structures involved. Exposure caused three additional structures to ignite. There is in excess of \$5 Million in damages. The Fire Marshal's Office is continuing the investigation and there is no further information at this time.

DFIRS Incidents Received

TOTAL STATE PARTICIPATION IN COMPLIANCE			
84 %			
DELINQUENT DEPARTMENTS			
New Castle County			
Townsend	December 2017 – January 2018		
Wilmington Manor	January		
Kent County			
Bowers	January – March, May – August, October, 2017 January 2018		
Cheswold	June, August – December 2017		
Hartly	January		
Houston	November – December, 2017 January 2018		
Magnolia	July – December 2017 January 2018		
South Bowers	May – December 2017 January 2018		
Sussex County			
Memorial	December 2017 January 2018		
Roxana	December 2017 January 2018		
OVERDUE REPORTS BY DAYS			
30 Days	60 Days	90 Days	90+ Days
2	3	1	4

*Source: DFIRS Incidents received as of 3/05/18.*

**REPORT OF THE STATE FIRE SCHOOL DIRECTOR**

**Director**

- Ambulance Simulator – The factory where the simulator was being manufactured burned down. The Fire School will apply for an extension of the grant.
- Rail car trailer (Haz. Mat.) – An extension was requested due to building delays. The grant extension has been approved.
- Voluntary Firefighter Injury Review & Education Program – Director Newnam made the commission aware that he and Compliance Officer Truax are working on a Delaware Voluntary Firefighter Injury Review and Education program. They hope to establish a way that fire departments can report injuries on a voluntary basis that can be tracked. This would give some idea of what may be causing injuries. If the injuries are severe enough, there could be a review by a group of people that could help the department ascertain how it happened and what could be done different. A recommended proposal will be submitted to the commission for review and possible adoption.

### **Staff Activities**

- AFG Grant reviewer – week of April 9<sup>th</sup> – Senior Instructors Brennan and Gajdos.
- State Search & Rescue Coordinators Council/National SAR Committee Meeting in Washington, D.C. – Senior Instructors Dempsey and Wilson.
- Vision 20/20 – Community Risk Reduction Symposium – Reston, VA – Training Educator O'Malley.
- Presentation - Agriculture Rescue Challenges - Ag Safety Conference, March 7 – Senior Instructor Wilson.
- Represent Delaware at FDNY Foundation Dinner on Wednesday, March 21, 2018 – Senior Instructor Wilson.
- Fire Rescue & EMS Today Podcast – Mayday, Senior Instructor Wilson – Simulation Training, Senior Instructor Dempsey with Tom Mitten.

### **Programs/Courses**

#### **Figures in red are reference to last year's comparison of class attendance.**

- Current Month
  - Crew Leader – 33 students (40)
  - Fire Behavior Class (Phase V) – 11 students (*open enrollment*)
  - Fire Training Evolutions (Phase V) – 13 students (*open enrollment*)
  - Vehicle Rescue – 27 students (18)
  - Basic Brigade Skills – 15 students (15)
  - Basic Fire Fighting Skills – 125 students (137)
  - Hazardous Materials Response Skills – 74 students (64)
  - Law Enforcement Orientation
  - EVO – Sussex Division – 18 students (18)
  - Fire/EMS Warm Zone (Active Shooter) on-line 300 students
  - Fire/EMS Warm Zone (Active Shooter) in-service – 10 scheduled or conducted. In service programs are up in the divisions and at the fire companies.
  - NFA Leadership II - 9 students
- Divisions Usage
  - Active Shooter Table Top Exercises – NCD – 40, KCD – 36, SCD – 70
  - New Castle – 14 classes (11), Kent – 11 classes (10), Sussex – 3 classes (3)

## **EMS**

### ▪ **Current Month**

- CEU programs – 11 programs scheduled (6)
- EMT Refreshers – Two scheduled – 39 students
- EMR Refresher – Three scheduled – 21 students
- EMT Reciprocity – 6 students
- Protocols – 12 students

## **Public Education and Injury Prevention - Activity Report**

### ▪ **Current Month**

- Fire Safety Programs – 5 scheduled (4)
- Fire Safety Displays - 2 scheduled (3)
- Injury Prevention Programs – 8 scheduled (9)
- Injury Prevention Events – 5 scheduled (1)

## **Maintenance – Building and Grounds**

- Installing video conferencing equipment in New Castle & Sussex Divisions. This will allow for the Fire School to have staff meetings etc. in a better format. It will also allow the DVFA or associations to host a statewide meeting better than able now.
- New Castle Site – Bandwidth upgrade with increased bandwidth 10mb to 1gig – split cost.
- Converted storeroom to Mothers' room for woman nursing. Director Newnam is pleased with how the room was done.
- HVAC project – Running approximately three weeks behind schedule.
- Office Re-modeling project. A building permit was approved this week.
  - Kent County Building Permit – concerns over the service window in hallway.
- Security review and improvements update – Sherry Lambertson, Executive Specialist of the Commission requested Capitol Police to provide a Site Threat Assessment of the Fire Prevention Commission location. Director Newnam requested to make the Fire School part of the assessment. Detective Rodriguez-Diaz from the Special Investigations Unit of the Delaware Capitol Police did a walk-through of the agencies and will provide recommendations.

### **Maintenance – Building and Grounds**

Director Newnam reported that the Delaware State Fire School is an educational facility. Sometimes open 7 days a week and 14 hours a day. The current construction is relocating the staff offices, and that will provide a level of security for the full time staff. Cameras are going to be added at the school door entrances. An improved window will replace the current Receptionist window. Director Newnam stated that consideration has to be made that this is a school and the building cannot be locked down. The class rooms currently have the ability to be locked from the inside if necessary. Security measures have been reviewed by the staff and Director Newnam is comfortable with what they are currently doing. Capitol Police will provide their recommendations within a month for review.

### **Financial**

- Past Due Billings
  - 30 days – 6,881.90
  - 60 days – 150.00
  - 90 days – 8,975.00
  - 120 days – 295.00
  - 20678 Tuition Fund – 568,534.00
- Accounts receivable – 55,795.00
- Revenue Comparison
  - Tuition – 2018 – 25,526.00, 2017 – 64,261.00
- Special Funds Summary – The Special Funds Summary report was submitted to the Commissioners for review.
- Expenditure Report – The Expenditure report was submitted to the Commissioners for review.

### **Staff and Office Staff Meeting Minutes**

Staff and office staff meeting minutes were submitted for Commission review

### **Personnel Issues**

Director Newnam reported the Maintenance Supervisor Charles Bradley and has returned to work.



### **BLS MEDICAL DIRECTOR**

The Narcan distribution plan for the OEMS Narcan stock has begun. 420 have been distributed in Kent and Sussex Counties to date. New Castle County is currently able to obtain their Narcan through an arrangement made with a pharmacy. There are 10 Kent County Companies that received and 20 Sussex County Companies participating in the Narcan distribution. Kent County companies received 150 Narcan kits and Sussex County companies received over 280 Narcan kits. Dr. Matthews is unaware of any new Kent and Sussex County Companies that have asked to participate in the Narcan distribution program.

Dr. Matthews reported that the flu continues to be widespread statewide as well as nationally, but the numbers are beginning to decrease weekly. To date there are over 7,400 lab confirmed cases in Delaware compared to 4,500 last year. Thirty two flu related Delaware deaths.

The ALS and BLS Standing Orders Committee has met three times. All of the Protocols have been reviewed and suggestions submitted by the committee members. There will be a final meeting this week in which committee members can make revisions. Chairman Robinson stated that the ALS and BLS Standing Orders will be prepared for the DVFA Conference this year in September to prevent any delay of them getting out.

### **REPORT OF THE INVESTIGATOR/COMPLIANCE OFFICER**

14 Annual Ambulance Unit Inspections  
1 New Unit Inspections  
8 Complaints Received  
8 Arrest Notifications were received.  
4 New Investigations  
0 Self Report

### **REGULAR BUSINESS**

### **ACTION ITEMS**

Sussex County Ambulance Service Discussion – Terry Jester

President Terry Jester addressed the Commission on behalf of the Sussex County Volunteer Firefighters Association.

Indian River Volunteer Fire Company submitted a letter of concern with regard to ambulance coverage within their district. Rehoboth Beach, Lewes, and Millsboro Fire Companies submitted letters of support the same concerns as Indian River Fire Co.

Indian River Fire Company President Patrick Miller submitted a letter stating that the fire company has been providing emergency medical service assistance within their fire district for multiple years and continues to serve the community with the most proficient and proactive responses. He reported that their statistics illustrate that for the time period of January 1, 2017 through February 18, 2018 approximately 28.6% of Indian Rivers calls volume was specifically for emergency medical service assistance. Additionally, another 15.6% alerts were specifically emergency medical service (EMS) related and cancelled while responding. 249 alerts or 44% of the emergency alerts were EMS related incidents within the Indian River district. They feel that this directly correlates that the Indian River Volunteer Fire Company has been directly supporting an operationally inept organization that is primarily responsible for such services and cannot provide coverage that ameliorates operational effectiveness. Indian River Volunteer Fire Company would like to request to clarify any options for them to provide emergency medical services within their fire district and they would accept the authority and responsibility. Fire Chief Steven Deery is in full support of the request.

Deputy Attorney General Davis stated that by State Fire Prevention Commission Regulation, Indian River Volunteer Fire Company can submit an Ambulance Service Application as a secondary provider. Indian River can request that Mid-Sussex Rescue Squad sign off on a contract that Indian River Fire Company will provide BLS Ambulance Service as a support to Mid Sussex within the district. Commissioner Dicristofaro believes that Mid-Sussex Rescue Squad needs to come before the Commission to discuss any concerns they have in meeting the needs of their district.

It was moved by Commissioner Dicristofaro, seconded by Commissioner Sharp to send Mid-Sussex Rescue Squad a letter stating the Commission would like for them to appear at the April meeting to discuss a plan of action to address highlighted problems with their EMS response within their district. Motion carried by a unanimous vote.

Ambulance Regulation 710, Sections 14.2 and 14.3 Deliberation

Deputy Attorney General Davis stated that the Commission did not receive any written or public comments from the February hearing for the Ambulance. The Commission deliberated on the February hearing findings. It was moved by Commissioner Dicristofaro, seconded by Commissioner Roberts to adopt the regulations as proposed. Motion carried by a unanimous vote. Commissioner Sharp did not vote due to his absence of the February meeting.

Hearing Case No. 1708

Investigator Truax presented a Consent agreement for Case No. 1708. It was moved by Commissioner Dicristofaro, seconded by Vice Chairman Marvel to accept the consent agreement as presented for Case No. 1708. Motion carried by a roll call vote.

Commissioner Roberts –	Yes
Commissioner Dicristofaro –	Yes
Commissioner Walius -	Yes
Vice Chairman Marvel -	Yes
Chairman Robinson -	Yes
Commissioner Sharp -	Absent
Commissioner Truitt -	Absent

Holloway Terrace Fire Company – Audit Extension Request

It was moved by Commissioner Dicristofaro, seconded by Commissioner Walius to approve the 30 day audit extension request for Holloway Terrace Fire Company. Motion carried by a unanimous vote.

Hearing Case No. 1721

A hearing was held for EMT Heather Helmer Case Hearing No. 1721. The hearing began at 10:54 am and concluded at 1:15 pm. Deputy Attorney General Mulveny prosecuted the case on behalf of the State. The State presented opening comments, exhibits, witnesses and closing arguments. EMT Helmer represented herself without an attorney and presented opening comments, cross examined witnesses and closing arguments. The Fire Prevention Commission considered all aspects of the hearing during deliberations. At the conclusion of deliberation the following motion was generated.

It was moved by Commissioner Dicristofaro, seconded by Vice Chairman Marvel to accept the states recommendation. The state proved that State Fire Prevention Commission Regulation 14.8.1 and 14.4.1.6 were violated. The Commission imposes a 1 year suspension immediately stayed for a period of probation with the requirement of obtaining a substance abuse evaluation within 30 days of the date of the Order and following any recommendations made as a result of that evaluation. Any violation of the probation terms will result in the immediate conversion of the probation to a term of suspension. A copy of the substance abuse evaluation must be sent to Dave Truax, Investigator of the State Fire Prevention Commission.

Hearing Case No. 1721 cont.

The motion was carried by a roll call vote.

Commissioner Roberts –	Yes
Commissioner Dicristofaro –	Yes
Commissioner Walius -	Yes
Vice Chairman Marvel -	Yes
Chairman Robinson -	Yes
Commissioner Sharp -	Absent
Commissioner Truitt -	Absent

**NEW BUSINESS**

No report at this time.

**GENERAL INFORMATION**

No report at this time.

**CORRESPONDENCE**

None.

**MISCELLANEOUS INFORMATION**

No report at this time.

**REPORT OF THE COMMISSIONERS**

Chairman Alan Robinson Jr.

Chairman Robinson reported that he attended the Monthly Fire Prevention Commission Meeting, DEMSOC Meeting, Kent County Appreciation Night, Magnolia Appreciation Banquet, DVFA Executive Meeting, Citizens Hose Fire Company Board of Directors' Meeting, and Protocol Meeting at DHCI in Smyrna.

Vice Chairman Ron Marvel

Vice Chairman Marvel reported that he attended the Monthly Fire Prevention Commission Meeting, Kent County Meeting, Seaford Fire Company Training Show, Greenwood Funeral, Sussex County Meeting in Selbyville, DVFA Executive Meeting, Bridgeville Annual Dinner, Seaford Training and New Castle County Meeting.

**DATE OF NEXT MEETING**

April 17, 2018 – 9:00 AM  
Commission Chamber  
Delaware Fire Service Center  
1463 Chestnut Grove Road  
Dover, DE 19904

**ADJOURNMENT**

It was moved by Commissioner Dicristofaro, and seconded by Commissioner Walius that the meeting be adjourned. Motion carried by a unanimous vote. The meeting was adjourned at 1:16 p.m.

Respectfully submitted,

*Sherry R. Lambertson*

Sherry R. Lambertson  
Executive Specialist

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